

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

RENEE M. BUTZ,)	
)	
Plaintiff,)	
v.)	C.A. No. 05-495 (JJF)
)	
LAWNS UNLIMITED LTD., AND,)	
EDWARD FLEMING,)	
Defendants.)	
)	

**NOTICE OF FILING OF DISCOVERY
PURSUANT TO LOCAL RULE 5.4(f)**

Defendants, by and through their undersigned attorneys, hereby submit this notice of filing of discovery in the above action. Defendants' Rule 26 Initial Disclosures are attached.

In accordance with Local Rule 5.4(f), Defendant has filed the discovery because the plaintiff in this action, Renee M. Butz, is appearing pro se. The undersigned attorneys certify that on this date copies of the above documents were caused to be served on plaintiff by U.S. Mail, Return Receipt Requested, at the following address: Renee M. Butz, 58 Hickory Drive, Northeast, Maryland 21901.

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Margaret M. DiBianca, Esq.

William W. Bowser, Esquire (Bar I.D. 2239)

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DATED: January 25, 2007

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

RENEE M. BUTZ,)	
)	
Plaintiff,)	
v.)	C.A. No. 05-495 (JJF)
)	
LAWNS UNLIMITED LTD., AND,)	
EDWARD FLEMING,)	
Defendants.)	
)	

**DEFENDANTS' INITIAL DISCLOSURES PURSUANT
TO FEDERAL RULE OF CIVIL PROCEDURE 26(a)**

In accordance with Rule 26(a) of the Federal Rules of Civil Procedure,
Defendants ("Lawns"), by its attorneys, makes these initial disclosures.

RESERVATIONS

1. Defendants' identification of categories of documents does not constitute a representation or implied representation that any particular document exists within Defendants' possession, custody, or control.
2. Defendants' initial disclosures are made without waiver of, or prejudice to, any objections Defendants may have. Defendants expressly reserves all objections, including but not limited to: (a) relevance; (b) attorney-client privilege; (c) work-product protection; (d) any other applicable privilege or protection under federal or state law; (e) undue burden; (f) materiality; (g) overbreadth; (h) the admissibility in evidence of these initial disclosures or the subject matter thereof; and (i) producing documents containing information disclosed or transmitted to any state or federal agency, to the extent such information is confidential and not required to be disclosed under applicable law. All objections are expressly preserved, as is Defendants' right to move

for a protective order. Defendants reserves the right to retract any inadvertent disclosures of information or documents that are protected by the attorney-client privilege, the work product doctrine or any other applicable protection.

3. Defendants has not completed its investigation of this case and reserves the right to clarify, amend, modify, or supplement the information contained in these initial disclosures if and when it obtains supplemental information, to the extent required by the Federal Rules of Civil Procedure.

4. Defendants' initial disclosures are made subject to and without limiting any of the foregoing.

INITIAL DISCLOSURES

1. The name and, if known, the address and telephone number of each individual likely to have discoverable information that the disclosing party may use to support its claims or defenses, unless solely for impeachment, identifying the subjects of the information. [Fed. R. Civ. P. 26(a)(1)(A)]

The following persons are currently employed by Defendant Lawns, which is located at 15089 Coastal Highway in Milton, Delaware, 19968. All current employees of Lawns should be contacted through the undersigned counsel.

- Edward Fleming: Mr. Fleming is a named defendant in the present matter and is the acting President of Defendant Lawns.
- Jeanne Fleming: Mrs. Fleming is the wife of Defendant Fleming and is the acting Treasurer and Secretary of Defendant Lawns.
- Mauricio Miranda: Mr. Miranda is a current employee of Defendant Lawns and was so employed at the time of Plaintiff's employment.

Additionally, Debra Watson may have relevant knowledge. Ms. Watson is a former employee of Lawns and was so employed for a brief period of time during Plaintiff's employment. Ms. Watson's current address and telephone number is unknown.

2. A copy of, or a description by category and location of, all documents, data compilations, and tangible things that are in the possession, custody, or control of the party and that the disclosing party may use to support its claims or defenses, unless solely for impeachment. [Fed. R. Civ. P. 26(a)(1)(B)]

By separate cover, Defendants produce copies of the following categories of documents:

- Plaintiff's personnel file;
- Documents produced by Defendants to the Equal Employment Opportunity Commission and/or the Delaware Department of Labor relating to Plaintiff's Charge(s) of Discrimination;
- Documents produced by Defendants to the Wage & Hour Unemployment Insurance Division of the Delaware Department of Labor and/or the Delaware Unemployment Insurance Appeals Board; and
- Certain Lawns company policies.

3. A computation of any category of damages claimed by the disclosing party, making available for inspection and copying as under Rule 34 the documents or other evidentiary material, not privileged or protected from disclosure, on which such computation is based, including materials bearing on the nature and extent of injuries suffered. [Fed. R. Civ. P. 26(a)(1)(C)]

Defendants claim no damages at this time. However, Defendants expressly reserve the right to claim damages relating to this proceeding if either Defendant later learns that either Defendant may have a claim for damages against Plaintiff.

4. For inspection and copying as under Rule 34 any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in the action or to indemnify or reimburse for payments made to satisfy the judgment. [Fed. R. Civ. P. 26(a)(1)(D)]

Defendants have no insurance policies covering this matter.

YOUNG CONAWAY STARGATT & TAYLOR, LLP

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Attorneys for Defendants

Dated: January 25, 2007

CERTIFICATE OF SERVICE

I, Margaret M. DiBianca, hereby certify that on January 25, 2007, I electronically filed a true and correct copy of the *Notice of Filing of Discovery Pursuant to Local Rule 5.4(f)* and *Defendants' Initial Disclosures* with the Clerk of the Court using CM/ECF. I further certify that on January 25, 2007, I caused to be served a true and correct copy of the foregoing *Notice of Filing of Discovery Pursuant to Local Rule 5.4(f)* and *Defendants' Rule 26 Initial Disclosures* via postage prepaid, First Class Certified U.S. Mail/Return Receipt Requested, and per Plaintiff's request, through electronic mail on the following non-registered participant:

Renee M. Butz
58 Hickory Drive
North East, Maryland 21901
renee@scottbutz.com

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Margaret M. DiBianca, Esq.

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